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W.P.No.18788 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 24.07.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE S.SOUNTHAR**

**W.P No.18788 of 2023**

M.Arul

...Petitioner

Vs.

1.The District Collector  
Tiruvannamalai District  
Tiruvannamalai.

2.The Assistant Director of Panchayats  
Tiruvannamalai District  
Tiruvannamalai.

3.The Block Development Officer (VP)  
Kalasapakkam Union  
Tiruvannamalai District.

4.The Chief Educational Officer  
Tiruvannamalai District  
Tiruvannamalai.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from putting up any construction in the street, located in S.No.220, Ladavaram Village, Kalasapakkam Taluk, Tiruvannamalai District.



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For Petitioner : Ms.N.Mohanapriya  
for Mr.E.P.Senniyangiri

For Respondents : Mr.P.Anandha Kumar for R1 & R2  
Government Advocate

: Mr.C.Selvaraj for R3 & R4  
Additional Government Pleader

### **ORDER**

The petitioner herein filed a Writ Petition seeking issuance Writ of Mandamus, forbearing the respondents from putting up any construction in the street, located in S.No.220, Ladavaram Village, Kalasapakkam Taluk, Tiruvannamalai District.

2. It is the case of the petitioner that he is running a clinic in the building situated in S.No.221/1B1, Ladavaram Village, Kalasapakkam Taluk, Tiruvannamalai District. In the front side of the clinic, on both left and right side, there are Government School building and in the middle portion there is a road, which facilitate access to the clinic of the petitioner. It is further stated by the petitioner that the the respondents started construction of a building in front of the clinic by blocking access to the petitioner's building. Aggrieved by the same, the petitioner had approached this Court mainly on the ground that the respondents are not entitled to put up any construction in a public road.



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3. Though the petitioner has come before this Court on specific allegations that S.No.220 is a public road and the respondents are not entitled to put up any construction, he failed to produce any documents to show that S.No.220 is classified as road in the Revenue records.

4. The third respondent herein had filed a counter affidavit wherein it is stated that S.No.220 is a Mandaiveli Poromboke and there is an alternative access to the petitioner's clinic from a road running from Kalasapakkam to Mangalam Village. It is also stated by the third respondent that construction of a building is already started.

5. If the stand taken by the respondents that S.No.220 is Mandaiveli Poromboke is accepted, then building in Mandaiveli Poromboke is not permitted and it is for the petitioner to workout his remedy in accordance with law.

6. As far as this Writ Petition is concerned, the petitioner has come before this Court on a specific allegation that S.No.220 Ladavaram



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Village is a road, but he failed to substantiate the same. In such circumstances, this Court is not inclined to entertain this Writ Petition.

7. Accordingly, this Writ Petition is dismissed. No costs.

**24.07.2023**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation Case : Yes/No  
dna



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**To**

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Tiruvannamalai.
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**S.SOUNTHAR, J.**  
**dna**

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